IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICGTION

INCOME TAX REFERENCE NO. 440 of 1995

The Commissioner of Income Tax ... Applicant.

vs.

M/s. Bayer (India) Ltd. ..... Respondent

Mr. Parag Vyas i/b. H.D.Rathod
for Applicant.

CORAM: V**. C. DAGA**
AND
A. S. AGUIAR JJ.

Date:10th August, 2005.

P. C.:

1. Heard. The Income Tax Appellate Tribunal while making this reference did not frame any question which is clear from the words appearing in the statement of the case which reads as under:

"Question to be typed at the time of finalization".

2. It appears that the Tribunal has forgotten to frame the question while making this reference. This reference is pending in this court since 1995, for more than for a period of 10 years. For want of any specific question before us we are unable to answer the reference. Reference is thus returned unanswered. Needless, to say the

Tribunal should have been careful while referring the matter to this court.

3. Reference stands disposed of with no order as to costs.

(V. C. DAGA J.)

(A. S. AGUIAR J.)

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